

Chapter 16.20**BUILDING MOVING REGULATIONS****Sections:**

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Section 16.20.010 References to Building Moving and Demolition Code.

This chapter shall be known as the "Building Moving and Demolition Code" and may be cited as such. Whenever in this Code or any ordinance of the City the phrases "Building Moving Code" or "Building Demolition Code" appear, such phrases shall be deemed and construed to refer and apply to this chapter in conjunction with Chapter 16.04. (Ord. 3495 § 3 (part), 1968; prior code § 9.301)

Section 16.20.020 Portions of buildings deemed separate buildings.

Portions of a building which are moved on different days shall be deemed to be separate buildings for the purposes of building moving permits only. (Ord. 3495 § 3 (part), 1968; prior code § 9.302 (part))

Section 16.20.030 Through the City--Permit required.

It is unlawful for any person to move a building through the City without first obtaining a building moving permit. (Ord. 3495 § 3 (part), 1968; prior code § 9.302 (part))

Section 16.20.040 From the City--Permit required.

It is unlawful for any person to move a building out of the City without first obtaining a building demolition permit and a building moving permit. (Ord. 3495 § 3 (part), 1968; prior code § 9.302 (part))

Section 16.20.050 Into the City--Permit required.

It is unlawful for any person to move a building into the City without first obtaining approval of a building moving application, obtaining a building moving permit, and the permits necessary to establish the building at the new location. (Ord. 3495 § 3 (part), 1968; prior code § 9.302 (part))

Section 16.20.060 Within the City--Permit required.

It is unlawful for any person to move a building within the City without first obtaining approval of a building moving permit, and the permits necessary to establish the building at the new location. (Ord. 3495 § 3 (part), 1968; prior code § 9.302 (part))

Section 16.20.070 Exceptions to permits being required.

The Building Official may waive portions of the requirements of this chapter when the building to be moved does not move upon, along or across a public street or alley; when the building is to be moved on a truck in compliance with the load, weight and size provisions of the Vehicle Code; or when no buildings or structures owned by other than the applicant are located within four hundred fifty feet of the proposed location of the building. (Ord. 4166 § 1, 1974; Ord. 4137 § 2, 1974; Ord. 3495 § 3 (part), 1968; prior code § 9.302 (part))

Section 16.20.080 Appeal, building moving and preapplication inspection fees.

The fees for appeals, building moving permits and preapplication inspections shall be set by resolution of the City Council. (Ord. 4137 § 3, 1974; Ord. 3495 § 3 (part), 1968; prior code § 9.303 (part))

Section 16.20.120 Building demolition permit fee.

The fee for a building demolition shall be based on the valuation of the building or work and as set forth in Section 107.2, Permit Fees, of SECTION 107, FEES, of the Uniform Building Code (Chapter 16.08). (Ord. 6393 § 43, 1997; Ord. 3495 § 3 (part), 1968; prior code § 9.303 (part))

Section 16.20.130 Building demolition permit generally.

Prior to starting demolition work on any building or structure all required pedestrian protection structures shall be in place, any required bonds and insurance shall be posted, all utility companies shall be notified in writing of the intention to demolish or remove the building or structure, and all necessary permits shall be obtained. Work under a building demolition permit shall not be considered completed until the sewer has been properly capped at the property line; all underground tanks, septic tanks and cesspools have been pumped out and either properly filled or removed; all basements, pools, sumps or other depressions which may be hazardous in any way have been properly filled or protected; all concrete, weeds, debris, stones or other loose material has been removed from the site; and any remaining portions of the structure have been cleaned and made structurally and aesthetically acceptable. Work under a building demolition permit shall not be suspended or abandoned. If such work is suspended or abandoned, the materials shall be considered "waste matter" as defined in Chapter 16.32 of this code and may be abated as such. (Ord. 3495 § 3 (part), 1968; prior code § 9.304 (part))

Section 16.20.140 Building moving permit generally.

Prior to moving a building or structure upon, along or across any public street, sidewalk, easement, alley or other public place all necessary permits shall be obtained, all necessary bonds and insurance shall be posted and certificates shall be presented showing that

arrangements have been made with the police department, Fire Department, Park Department and the owners of the utilities and installations for the protection of streets, trees, utilities and other installations along the proposed route of travel. Such permit shall be valid only for the date indicated on the permit. (Ord. 3495 § 3 (part), 1968; prior code § 9.304 (part))

Section 16.20.150 Preapplication inspection generally.

Each building for which a building moving application is required shall be subject to inspection by the Building Official before the application is approved or denied. The following inspections shall be made:

A. The building shall be inspected to determine its character, age, condition and degree of conformity with current codes; and

B. The site onto which the building is to be moved shall be inspected to determine the age, character and condition of surrounding buildings and structures.

Following the inspection, the Building Official may approve the building for moving, may approve the building for moving provided certain alterations or additions are made, or may disapprove the building for moving. The applicant or his agent shall be notified of the decision. The notification shall include conditions for approval or reasons for disapproval. The Building Official shall disapprove the building for moving if any regulations of the City would preclude such a move, or if the building is or will be an unsafe building as defined by Chapters 16.04 through 16.20, or if the value of the property in the proposed location would be depreciated by the move, or the public health or welfare would be otherwise endangered by the move. (Ord. 3495 § 3 (part), 1968; prior code § 9.305)

Section 16.20.160 Information on building moving application.

In addition to the information required in Sections 16.04.240 and 16.04.270, the following shall be submitted with each building moving application: Detailed statements of the exceptions to the provisions of Chapters 16.04 through 16.20 which may be requested by the applicant; a certificate of inspection by a licensed termite control operator; the names and addresses of the owners of all lots or parcels of ground any portion of which lies within a distance of four hundred fifty feet from the approximate center of the building at its proposed location, as such names appear upon the latest available assessment roll or are otherwise known to the applicant; such other information as may be required by the Building Official or by minute order of the City Council. (Ord. 4166 § 2, 1974; Ord. 4137 § 4, 1974; Ord. 3495 § 3 (part), 1968; prior code § 9.306 (part))

Section 16.20.170 Notification to adjacent property owners.

The Building Official shall notify the property owners on the list accompanying the application of the filing thereof and that they may object thereto. Objections to be considered shall be in writing and shall be filed not more than ten days following the date of notification. The notification shall be accompanied by a return addressed prepaid postcard providing space for a yes or no answer to the question of objecting to the application, a signature and space for setting forth reasons for an objection. (Ord. 4166 § 3, 1974)

Section 16.20.180 Approval or denial of permit.

The Building Official shall give full consideration to all valid objections received in connection with a building moving application. The applicant shall be notified of the decision to approve or deny the application and reasons for denial shall be stated. Persons submitting valid objections shall be notified of an approval together with the reasons for approval. No building moving application shall be issued until the time for filing appeals has expired. (Ord. 4166 § 4,

1974)

Section 16.20.190 Appeal generally.

Any person or group of persons aggrieved by the decision of the Building Official to approve or deny a building moving application may appeal such decision to the City Council. Such appeal shall be in writing, shall be filed with the Building Official within five days from the date of the decision, shall contain the names and addresses of the appellants, and shall contain the application number and name of the person making the application. Upon receiving an appeal, the Building Official shall forthwith send the notice of appeal, a copy of the building moving application and any written objections thereto to the City Clerk. (Ord. 4166 § 5, 1974)

Section 16.20.200 Hearing on appeal.

Upon receipt of the notice of appeal, the City Clerk shall set the matter for hearing before the City Council not less than ten days nor more than thirty-five days after the date of filing the notice. The hearing shall be held at a regular meeting or at an adjourned regular meeting of the City Council.

Written notices setting forth the time and place of such hearing shall be mailed to the applicant, appellant and all persons objecting to the application. Such notices of hearing shall be mailed not less than ten days prior to the date of the hearing. (Ord. 4166 § 6, 1974)

Section 16.20.210 Disposition of appeal.

At the time and place of hearing, the City Council shall consider the application and the objections thereto and shall hear such other evidence as may be presented. Petitions shall not be considered as evidence. The City Council shall, after considering all evidence presented, deny the appeal, sustain the appeal, or sustain the appeal with conditions as it may deem proper. (Ord. 4166 § 7, 1974)

Section 16.20.220 Special conditions.

Regardless of any other provisions of Chapters 16.04 through 16.20, the following special conditions shall apply to work connected with moving or moved buildings.

A. Preapplication Inspection. If a building which has had a preinspection is not moved within ninety days of the date of the application, a reinspection shall be made. The fee for a reinspection shall be the fee for the original inspection. A preapplication inspection shall apply to one building and one proposed location only. The fee for investigating an alternate proposed location shall be set by resolution of the City Council.

B. Building Moving Application. If the building for which a building moving application is approved is not moved within one year, the application shall be void and no longer approved.

C. Moved Buildings. When a building is moved onto a site within the City, the footing shall be installed within thirty days of the date of arrival on the site and the building shall be lowered onto the footing within sixty days of the date of arrival at the site. Any building or work not complying with the time limits set forth in this subsection may be declared a dangerous building and may be abated as such. (Ord. 4137 § 5, 1974; Ord. 3495 § 3 (part), 1968; prior code § 9.308)

Section 16.20.230 Bonds and insurance.

In addition to other bonds, deposits or insurance that may be required, the following shall be deposited with the Building Official prior to the issuance of a building moving permit:

A. A faithful performance bond payable to the City in an amount equal to not less than one hundred percent of the estimated cost of preparing the moved building for occupancy,

including but not limited to all necessary termite control and repair work, or a demolition bond payable to the City in an amount equal to not less than one hundred percent of the estimated cost of demolishing and removing all materials from the site, including but not limited to all footings and other works that may have been installed, when the permit is for moving a building into or within the City;

B. A bond payable to the City in the amount of two thousand five hundred dollars to secure payment of damage to any street, tree, utility or installation caused by such moving;

C. A rider to the contractor's liability and property damage insurance policy naming the City as a co-insured.

The filing of either or both bonds required by this section may be waived by the Building Official if other adequate bonds or cash deposits have been provided. (Ord. 4604 § 9, 1978; Ord. 3495 § 3 (part), 1968; prior code § 9.309)